

EN

Case No COMP/M.7169 - WEICHAJ POWER/ KION GROUP

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 15/07/2014

***In electronic form on the EUR-Lex website under document
number 32014M7169***



EUROPEAN COMMISSION

Brussels, 15.7.2014
C(2014) 5144 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

Dear Madam(s) and/or Sir(s),

**Subject: Case M.7169 - WEICHAI POWER/ KION GROUP
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 19 June 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Weichai Power Co. Ltd. ("Weichai", China), controlled by Shandong Heavy Industry Group Co., Ltd ("SHIG", China), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Kion Group AG ("Kion", Germany) following a share transaction².
2. The business activities of the undertakings concerned are:
 - for Weichai: automotive and equipment manufacturing group operating in power assembly (engines, gear boxes and axles), commercial vehicles, automobile electronics and parts, high pressure hydraulic pumps, hydraulic motors, hydraulic valves, gears and gear drives, ancillary castings and foundry of other hydraulic components,

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

² Publication in the Official Journal of the European Union No C 205, 2.7.2014, p. 12.

- for SHIG: group active in commercial vehicles, construction machinery (including forklift trucks), power systems, auto parts, and yachts,
 - for Kion : manufacturer of forklift trucks, warehouse handling equipment and other industrial trucks.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.
 4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

For the Commission
(signed)
Alexander ITALIANER
Director General

³ OJ C 366, 14.12.2013, p. 5.